



General Assembly

January Session, 2007

Raised Bill No. 6838

LCO No. 3415

03415_____PH_

Referred to Committee on Public Health

Introduced by:
(PH)

***AN ACT CONCERNING THE USE OF TELEMEDICINE TO PROMOTE
EFFICIENCY IN THE DELIVERY OF HEALTH CARE SERVICES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2007*) (a) As used in sections 1 to 5,
2 inclusive, of this act, "health care provider" means a person licensed to
3 practice under chapter 370, 372, 373, 375, 376c, 377, 378, 379, 380 or 382
4 of the general statutes; and "telemedicine" means the delivery of health
5 care services and any diagnosis, consultation or treatment using
6 interactive audio, interactive video or interactive data communication,
7 and includes the types of services described in subsection (d) of section
8 20-9 of the general statutes.

9 (b) Prior to the delivery of health care services to a patient through
10 telemedicine for the first time, a health care provider shall obtain
11 verbal and written informed consent from the patient or the patient's
12 legal representative. The informed consent procedure shall ensure that
13 at least all of the following information is given to the patient or the
14 patient's legal representative verbally and in writing:

15 (1) The patient retains the option to refuse the delivery of health

16 care services via telemedicine at any time without affecting the
17 patient's right to future care or treatment and without risking the loss
18 or withdrawal of any program benefits to which the patient would
19 otherwise be entitled;

20 (2) All applicable confidentiality protections apply to telemedicine
21 services;

22 (3) All medical reports resulting from telemedicine services are part
23 of a patient's health record and shall be made available to the patient in
24 accordance with the provisions of sections 19a-490b and 20-7c of the
25 general statutes; and

26 (4) A description of the potential risks, consequences and benefits of
27 telemedicine.

28 Sec. 2. (NEW) (*Effective July 1, 2007*) (a) On and after July 1, 2007, in
29 person contact between a health care provider and a patient shall not
30 be required for health care services delivered through telemedicine
31 under the HUSKY Plan, Part A and Part B, the state-administered
32 general assistance plan or the state Medicaid plan, provided such
33 health care services are otherwise eligible for reimbursement under the
34 HUSKY Plan, Part A and Part B, the state-administered general
35 assistance plan or the state Medicaid plan, as appropriate.

36 (b) The Commissioner of Social Services, in consultation with the
37 Commissioner of Public Health, shall adopt regulations, in accordance
38 with the provisions of chapter 54 of the general statutes, establishing
39 rates for transmission cost reimbursement for telemedicine services
40 provided to enrollees of the HUSKY Plan, Part A and Part B and
41 Medicaid and state-administered general assistance recipients,
42 considering, to the extent applicable, reductions in travel costs by
43 health care providers and patients to deliver or to access health care
44 services and such other factors as the Commissioner of Social Services
45 deems relevant.

46 Sec. 3. (NEW) (*Effective October 1, 2007*) Each individual health
47 insurance policy providing coverage of the type specified in
48 subdivisions (1), (2), (4), (11) and (12) of section 38a-469 of the general
49 statutes delivered, issued for delivery, amended, renewed or
50 continued in this state on or after October 1, 2007, shall provide
51 coverage for telemedicine services that meet the requirements of
52 section 1 of this act, provided such health care services are otherwise
53 covered under the policy.

54 Sec. 4. (NEW) (*Effective October 1, 2007*) Each group health insurance
55 policy providing coverage of the type specified in subdivisions (1), (2),
56 (4), (11) and (12) of section 38a-469 of the general statutes delivered,
57 issued for delivery, amended, renewed or continued in this state on or
58 after October 1, 2007, shall provide coverage for telemedicine services
59 that meet the requirements of section 1 of this act, provided such
60 health care services are otherwise covered under the policy.

61 Sec. 5. (NEW) (*Effective July 1, 2007*) (a) On or before October 1, 2008,
62 the Department of Public Health shall establish one or more two-year
63 pilot programs to investigate the feasibility and appropriateness of
64 using telemedicine to manage and treat patients with (1) congestive
65 heart failure, (2) diabetes, its indicative conditions, or both, and (3)
66 chronic obstructive pulmonary disease. The Commissioner of Public
67 Health shall contract, through a request for proposal process, with one
68 or more entities to operate the pilot program or programs in
69 accordance with this section.

70 (b) The course of treatment for any patient selected to participate in
71 a pilot program under this section shall not differ from the probable
72 course of treatment for such patient if the patient had not participated
73 in such pilot program.

74 (c) In selecting patients to participate in a pilot program authorized
75 under this section, the entity shall consider the following factors: (1)
76 The nature of the patient's medical condition and whether it has or will
77 require health care services of unusually high frequency, urgency or

78 duration, (2) the patient's cognitive ability, (3) whether the patient
79 resides in a medically underserved area, (4) whether the patient has
80 support from a relative or other caregiver, and (5) whether the patient
81 has access to telecommunications technology services.

82 (d) The Commissioner of Public Health shall adopt regulations, in
83 accordance with chapter 54 of the general statutes, establishing
84 guidelines for administration of the pilot programs authorized under
85 this section. Such regulations shall include, but not be limited to:

86 (1) Data collection and reporting; and

87 (2) Methods and procedures for preventing fraud, abuse and
88 overuse of telemedicine services.

89 (e) The Commissioner of Public Health shall evaluate the pilot
90 program or programs established under this section and shall submit a
91 report of the commissioner's findings and recommendations to the
92 joint standing committee of the General Assembly having cognizance
93 of matters relating to public health, not later than December 31, 2010,
94 in accordance with the provisions of section 11-4a of the general
95 statutes. Such report shall include an evaluation of the data collected
96 with respect to improved chronic disease management and cost
97 savings, based on patient outcomes.

98 (f) Nothing in this section shall be construed to alter the scope of
99 practice of any health care provider.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	New section
Sec. 2	<i>July 1, 2007</i>	New section
Sec. 3	<i>October 1, 2007</i>	New section
Sec. 4	<i>October 1, 2007</i>	New section
Sec. 5	<i>July 1, 2007</i>	New section

Statement of Purpose:

To promote the use of telecommunications technology for medical diagnosis and patient care.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]